Thank you, Commissioners. I greatly appreciate the opportunity to appear before the commission. This hearing represents another example of our shared commitment to providing the safest, most secure prison as possible. These commission hearings have helped shine the light on what those of us who work in correctional systems have always known, sexual assault have devastating effects on victims even long after an assault occurs. We have always maintained that even one rape or sexual assault at our facilities is too many.

As commissioner of the fourth largest state system in the country and as chairman of the American Correctional Association Standards Committee, I'm happy to discuss classification and standards development as it relates to the Prison Rape Elimination Act.

The foundation of any standard is the commitment to meeting certain goals. Our commitment in New York state has been to provide
the safest and most secure prison as possible. And
that goal is at the core of all department
policies. Inmates are dependent upon correctional
staff for the fulfillment of basic human needs. It
is a formidable challenge to force the safest
correctional environment possible, and correctional
administrators fully understand and accept the
mandate that they must be relentless in their goal.

Long before the enactment of PREA, we
recognized that when it comes to the matter of
sexual abuse of inmates, the only acceptable policy
is zero tolerance. The department's position has
always been that given the authority employees
exercise over inmates, laws must be enacted that
criminalize any and all sexual relationships
between inmates. The enactment of PREA provided
the department with another tool in our efforts to
combat sexual violence of prisons.

In addition to addressing staff on inmate
abuse, we have been equally as adamant about
improving our efforts to prevent potential inmate
on inmate sexual attacks. We have viewed PREA as a
vehicle to inform inmates of a number of practical
steps that they can employ to protect themselves or
report an incident.

Individuals entering our system are provided
with written materials that summarize the
department's policies on sexual abuse and discuss
issues related to safety reporting and
confidentiality. We continue to make capital
investments in installation and operations of fixed
video and recording systems. Since 1995 the
department has spent more than $35 million for the
implementation of these systems.

In addition, correctional systems also carry
the responsibility to identify inmates who may be
potential targets and those who may be potential
predators. This is a process that can be carried
out both at reception and in general confinement so
that inmates are housed appropriately and the
potential of incidents are reduced.

Classification of inmates is very important.
In New York, staff are required to screen each
inmate to determine compatibility and look into
whether an inmate is a victim, is victim prone, has a history of sexual abuse, or has displayed violent tendencies. Without that question, placing resources and emphasis on classification allows us to address a potential problem even before it starts.

I hope that these policies and the documents provided to the commission may be of assistance during your consideration of appropriate national standards to be developed; however, I must add two cautionary notes. The first is that we, in New York, gain practical experience in the application of these directives. We will be fully prepared to make further adjustments and refinements as the need arises.

Secondly, what works very well in New York may not work as well in other jurisdictions. I think it's safe to say that all of us share the same goal of zero tolerance, but there are also significant differences in the makeup and management of different systems across the country; therefore, it is important for the commission to enact standards
that will accomplish the intended results, but also have universal application throughout the country.

As chairman of the Standards Committee for ACA, I know well the careful balancing that must be done while developing and implementing new standards. These measures must not only be practical in the application, but they must also truly improve the quality of life with staff and the offender.

I am very proud of the fact that New York was one of the first correctional systems in the country to have each and every one of our institutions accredited by ACA. This means that all of our facilities meets or exceeds hundreds of nationally accepted standards for operation, management, administration of our facilities. Accreditation is not merely a certificate or a plaque on the wall. It illustrates an unwavering commitment of staff members to a code of conduct, professional standards that leads to safer and more secure facilities, which operate in a humane and constitutional manner.
To receive accreditation from ACA, a facility must demonstrate 100 percent compliance with 63 mandatory standards and at least 90 percent compliance with 469 nonmandatory standards. The accreditation orders are conducted every three years. But, it's important to understand that simply promulgating policies is not sufficient to achieve accreditation.

Since 2000 the ACA has instituted a performance based approach to its standards and accreditation. This allows auditors to determine to the extent to which a desired condition has been achieved. As a result, we are able to monitor not only a facility's activities, but also the outcome of these activities, and could give them and examine them compared to their other outcomes.

It is our recommendation that the commission take a look at the ACA standards while developing its own criteria. New York's correctional facilities, staff and inmates and the public, have benefited greatly from the practical application of the ACA standards across the state and hope that
they might serve as a blueprint as a national

guideline that we can discuss and implement.

    Again, thank you for the opportunity. I look

forward to working with you in the future and

answer any of your questions.